

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:13-CV-897**

JAMES DILLON, on Behalf of Himself
and All Others Similarly Situated,

Plaintiff,

v.

BMO HARRIS BANK, N.A., FOUR
OAKS BANK & TRUST, a North
Carolina-Chartered Bank, GENERATIONS
FEDERAL CREDIT UNION, and BAY
CITIES BANK, a Florida State-Chartered
Bank,

Defendants.

**STIPULATION OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT
GENERATIONS COMMUNITY FEDERAL CREDIT UNION**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure and the settlement reached between them, Plaintiff James Dillon and Defendant Generations Community Federal Credit Union hereby stipulate that all claims asserted by Plaintiff against Generations in this action are dismissed with prejudice.¹

¹ The settlement includes prospective plaintiff India Banks and releases all claims she could have asserted against Generations relating to this action. On March 24, 2016, Plaintiff filed a motion for leave to file an amended complaint, seeking to add Plaintiff Banks. *See* Doc. 218 (subsequently re-filed at Doc. 248). As a result of this settlement and dismissal with prejudice, Plaintiff's pending motion for leave to file a first amended complaint including Ms. Banks as a plaintiff is moot with respect to Generations.

The parties to this Stipulation file contemporaneously herewith a joint motion for entry of judgment pursuant to Fed. R. Civ. P. 54(b) as to all claims and orders between Plaintiff and Generations.

Dated: March 24, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to all counsel of record.

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